Human smuggling

2078. SHRI KAMAL AKHTAR: Will the Minister of HOME AFFAIRS be pleased to state:

whether it is fact that human smuggling can be described as an organized crime in India and thus helping the touts to earn in lakhs;

if so, the details of those involved for human smuggling and number of smuggling cases, State-wise, during the last three years;

whether Government has taken any step to combat the situation and also to check the easy availability of immigrant licences; and

if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIK RAO GAVIT): (a) The National Crime Records Bureau (NCRB) is implementing a project known as the Organised Crime Intelligence System (OCIS). 'Human smuggling' does not figure in the category of organised crime in the NCRB database.

(b) to (d) Data and information on human smuggling is not being maintained centrally as all illegal migration of people need not necessarily imply trafficking in persons. However, complaints are received from time to time by Ministry of Overseas Indian Affairs regarding recruitment of labourers/workers by unregistered agencies, including travel agencies, who send persons abroad for work in violation of the provisions of the Emigration Act. Such cases are sent to the State Police Authorities for due legal action. During 2005 to November 2007,168 complaints were received against unregistered agencies and prosecution sanction was issued in about 35 cases. During the same period 262 complaints were received against registered recruiting agents and 123 registration certificates were cancelled/suspended.

Specifying items under panchayat regulation of the UT OF Lakshadweep

2079. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of HOME AFFAIRS be pleased to state:

whether the Administrator of Union Territory of Lakshadweep have specified any item for obtaining consultations from the District Panchayat of the Union Territory under the IV schedule of Panchayat Regulation of the U.T.;

if so, the items specified by the Administrator; and

if not, the reasons for not specifying the same?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) and (b) Provision for obtaining consultation frorn the District Panchayat is in Fifth Schedule (and not in the Fourth Schedule) of the Lakshadweep Panchayat Regulation, 1994.

Lakshadweep Administration has notified Lakshadweep District Panchayat (Procedure for consultation with the President-cum-Chief Counseller and Vice-President-cum-Counsellors) Rules, 2004, as provided under Section 44 of the Lakshadweep Panchayat Regulation to make consultation on the matters prescribed under Fifth Schedule* of the Regulation, *viz.* Five Year Plans and Annual Plans for the development of the Union Territory,

general questions of policy etc. in so far they relate to matters enumerated in the State List or in the Concurrent List in the Seventh Schedule to the Constitution.

(c) Question does not arise in view of above.

Pathetic condition of prisoners

2080. SHRI N.R. GOVINDARAJAR: Will the Minister of HOME AFFAIRS be pleased to state:

whether the National Human Rights Commission (NHRC) has expressed concern over the pathetic condition of prisoners in various jails in the country;

if so, the details thereof;

the number of cases registered with National Human Rights Commission against police atrocities and about violation of Human Rights in the prison during each of the last three years;

whether NHRC has made any recommendation/observation on the security aspects of prisoners in various jails in the country; and

the steps taken/proposed to be taken to improve the condition of prisoners and also to curtail atrocities against them?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIK RAO GAVIT): (a) and (b) Yes, Sir. The officials of the National Human Rights Commission (NHRC) has been visiting various jails in the country from time to time to ascertain the living conditions of prisoners and have been expressing their concern on the conditions of prisoners. They have made various recommendations to the State Governments for improving the living conditions of prisoners which are summarized as under:

(i) construction of additional jails to reduce overcrowding

(ii) repair and renovation of existing jails;

(iii) increasing the capacities of existing jails;

(iv) improvement in sanitation and water supply;

(v) living accommodations for prison's staff;

(vi) quick disposal of cases of undertrial prisoners; and

(vii) sensitization of police officers to make arrests only when there is reasonable grounds to justify the arrests.

(c) The number of cases registered with National Human Rights Commission against police atrocities and human rights violation in jails during the last three years are as under:

Year	Police atrocities	Human Rights violation in Jail	Total
2004-05	29975	2033	32008
2005-06	28378	2234	30612
2006-07	31103	2236	33339
2007-08 (upto 12.03.08)	36486	2718	39204